

LAW ENFORCEMENT NEWS

Vol. XXXI, No. 628

A publication of John Jay College of Criminal Justice/CUNY

January 2005

Sometimes the numbers crunch back

Although the St. Louis Police Department erred when it made the transition from writing incident reports to writing more informal "crime memos," there was no intent by the agency to manipulate the city's crime statistics by undercounting more than 5,000 incidents in 2003, according to an audit-panel convened in December to investigate police crime-reporting procedures.

That was apparently not the case in New Orleans, where five police officers were terminated and a sixth demoted last year after an investigation by the agency's Public Integrity Bureau found they had downgraded the classification of felonies in their district to win coveted crime-reduction awards.

The officers are appealing the disciplinary action; the city's Civil Service Department must prove the firings and demotion were justified.

St. Louis's troubles began last year when its crime statistics director found, much to the city's chagrin, that police had omitted 5,760 crimes from the 2003 data submitted to the FBI's Uniform Crime Reporting program. St. Louis had been touted nationally for achieving jaw-dropping crime reductions that year, when in fact crime there had risen by nearly 4 percent. It was the city's highest crime rate in seven years.

Although the error was discovered last summer — by then too late to update the UCR — it was not until November that the department publicly acknowledged its mistake. Police Chief Joe Mokwa apologized to the city during

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Working together: A case study PERF report analyzes challenges & successes of Beltway Sniper investigation

By Jennifer Nislow

Although it was a singular event — killers who struck randomly from concealed locations — there is still much that law enforcement can learn about handling complex, high-profile investigations from studying the Beltway Sniper case, according to a new report by the Police Executive Research Forum.

In "Managing a Multijurisdictional Case: Identifying Lessons Learned from the Sniper Investigation," researchers examined the ways in which federal, state and local law-enforcement agencies overcame institutional barriers and developed ad hoc protocols for working together on a case that eventually spanned eight jurisdictions and involved more than 1,000 investigators.

For 23 days in October 2002, the Washington, D.C., and Central Virginia regions were terrorized by a team of snipers who used a high-powered rifle to pick off victims indiscriminately. Before their capture at a highway rest stop in Myersville, Md., on Oct. 24, 2002, John Allen Muhammad and Lee Boyd Malvo had shot 14 people, 10 of them fatally. Muhammad was sentenced to death last March, and Malvo, a teenager, was sentenced to life imprisonment.

Among the factors that made this case unique, according to the report, was the nature of the attacks. Sniper shootings are rare in and of themselves, although they do occur, as do spree killings and serial murders. But this case combined an initial killing spree of six homicides in one 24-hour period, followed by a series of shootings over a three-week period. The report said law enforcement agencies had to simultaneously conduct criminal investigations of the incidents, try to prevent more from occur-

ring, and respond to the scenes of new shootings as they occurred.

"It's almost like changing the tire of a car while it's moving," said Chuck Wexler, PERF's executive director.

Researchers identified four cornerstones of the successful sniper-case investigation: careful planning and preparation; defining roles and responsibilities; managing information efficiently; and maintaining effective communication.

As much as possible, agencies should have plans and policies in place ahead of time. They may not be perfectly suited to the investigation at hand, but "they provide a foundation upon which modifications or additions can be easily made," said the study.

Officials who were involved in the sniper case suggested not only that agencies develop such plans, but practice them as they would their responses to critical incidents. Neighboring departments "could form a working group that would meet regularly to discuss multi-agency response and even arrange mock exercises."

The Beltway area was fortunate in that regard, Wexler told Law Enforcement News. Detectives in Washington had worked alongside federal investigators on a triple slaying at a Starbucks coffee shop in 1997, he noted.

Then after the Sept. 11, 2001 attack on the Pentagon, there was a real sense in D.C. that the city was a target, Wexler noted. There was an "occupational need" for all of the local jurisdictions, as well as the FBI, Secret Service and Bureau of Alcohol, Tobacco and Firearms, to cooperate with each other.

"The working relationship was already in place," said Wexler. "I guess what makes that

so important is that those pre-existing relationships went a long way in terms of building trust as they moved forward. With a case this complicated, there's a tremendous amount of room for miscalculations, for people not trusting one another, how you share information, who's going to deal with the media and so forth. There has to be a sense of working as a team."

Pressure in these types of cases can cause individuals to modify traditional roles and responsibilities. For example, the report said, investigators became unsettled when managers began performing their tasks. Detectives were left wondering how they could make a contribution to the investigation.

The involvement of federal agents also caused anxiety among state and local officials who were not eager to cede their authority, said the report. Although that friction quickly dissipated, it could have posed an obstacle for investigators.

In the final analysis, said Wexler, there was a role for almost everybody in this case because it "transcended" just the investigators. Patrol officers had to be the eyes and ears of both the department and the community, he told LEN. Officers were stopping cars, setting up roadblocks and reassuring the public.

One of the lessons learned in the sniper investigation, according to the study, was that a mechanism for providing a daily briefing to staff needs to be devised. "In the absence of official information, rumors can circulate unchecked," the report said.

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FBI throws in the towel on overdue, problem-plagued computer upgrade

After four years and \$170 million, the FBI conceded in January that a computer software system that was supposed to bring the agency's technology up to the cutting edge will most likely be scrapped.

Called the Virtual Case File, the software was the third component of Trilogy, a half-billion-dollar effort to overhaul the bureau's antiquated computer system. It was no secret that the creation of the case-management system had been plagued by problems and delays, but the FBI has now given its strongest indication yet that the project would not be completed.

The FBI has been under harsh criticism since Sept. 11, 2001, when it became known that agents could neither share information with others in the bureau, nor could they search its database. Outdated technology was blamed by members of the 9/11 Commission for hindering the FBI's ability to

"connect the dots" that might have prevented the terrorist attacks.

"It's immensely disappointing to learn of this type of failure," Lee H. Hamilton, the commission's vice chairman, told The New York Times. "The FBI cannot share information and manage their cases effectively without a top-flight computer system, and we on the commission got assurances again and again from the FBI that they were getting on top of this problem. It's very, very disappointing to see that they're not."

According to a draft report by the Justice Department's inspector general, which was reported in The Los Angeles Times, the Virtual Case File project's design and software make it unworkable. "The application, the way it's built now, is under evaluation," a senior FBI official told The Times.

At the time that the bureau contracted with Science Applications International of

San Diego, the technology for managing the evidence and records generated during investigations did not exist. Now it does, and one idea currently under consideration is that the bureau use off-the-shelf software.

In the meantime, the bureau has given \$2 million to a research firm that will evaluate the work already done on the Virtual Case File to see which parts of the project — if any — can be salvaged. Just 10 percent of the project has been delivered and is in use, officials told The Times.

"I did not get what I envisioned" from the project, said the senior FBI official.

Although the bulk of the bureau's counterterrorism files are online, they may still not be accessible to agents in other parts of the bureau. Moreover, agents still need to sign and scan most internal reports and documents produced by the FBI by hand into computer format.

Finger-pointing



Enid, Okla., Police Department jailer Larry Dezary takes the fingerprints of a man who was among 19 people arrested Jan. 27 for illegal purchases of pseudoephedrine to make methamphetamine. (AP/Wide World)

AROUND THE NATION

NORTHEAST



CONNECTICUT — Stamford city officials say that their city is the safest in the country, despite a recent study by the independent Kansas-based research group Morgan Quitno Press that put it fourth. Mayor Dannel P. Malloy said that the relationship between the police and the community, the hiring of more officers, and the increase in downtown housing have all made a difference.

A miscommunication between frantic state social workers and police in December caused a two-hour delay in an Amber System alert. Three children were abducted by their father during a supervised visit at Williamantic office of the state Department of Children and Families. When social workers called 911, it took two hours before details were broadcast to the public. The children were recovered unharmed. Gov. M. Jodi Rell called for immediate training bulletins for all state employees on how to activate the system properly.

MAINE — The state recorded 19 murder or manslaughter incidents in 2004 — the highest number since 2001. Ten of the cases were described as domestic-related, in which the killer and victim had been in a relationship. Public Safety Commissioner Michael Cantara said that police are getting more training in recognizing and responding to abusive relationships and the public is now more likely to report domestic incidents.

A large number of 911 misdials or 911 calls that turn out to be nonemergencies is contributing to a growing problem in Bangor — taking dispatchers away from legitimate emergencies. Melissa Bickford estimated that she and her fellow Bangor dispatchers handle about 10 misdial calls on a weeknight and more on weekends. Charges have been filed in cases where the system is purposely abused, including one involving a man who kept calling 911 to report that he was injured just to get a ride across town.

NEW JERSEY — Newark Mayor Sharpe James has announced plans to spend \$8 million to bolster the city's police force with the hiring of 80 additional officers, but says the move is unrelated to a recent spate of eight homicides. The city recorded 85 murders as of Dec. 24, up from 83 the year before and 68 in 2002. Essex County's acting prosecutor, Paula T. Dow, said residents are increasingly fearful and some witnesses are reluctant to testify for fear of retaliation.

Heroin samples obtained by the U.S. Drug Enforcement Administration from New Jersey streets found that for the second year in a row, the state has the country's purest heroin, making it much easier for users to overdose. The heroin is said to be purer because New Jersey is the first stop for many drug traffickers, so the narcotics have not yet been diluted with additives prior to resale.

NEW YORK — New York City police Deputy Inspector Richard Capolongo, 42, shot himself to death at his Queens precinct in late December, and some of his relatives say he may have killed himself over an

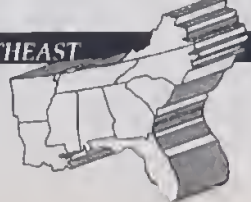
internal affairs probe looking into allegations that he was illegally moonlighting at a security job while on duty.

The NYPD is issuing a new "tactical manual" in the aftermath of a fatal police shooting of a Brooklyn teenager on the roof of a housing project. The manual is described as a first-ever reference guide for officers, especially those on "vertical patrols" in housing projects.

New York Mayor Michael Bloomberg said recently that "the safest big city in America keeps getting safer," after newly released data showed that New York's murder total went down again in 2004, to 558 compared to 586 the previous year. Since 1993, the number of killings has fallen by more than 70 percent.

PENNSYLVANIA — Police in Harrisburg followed a trail of Krispy Kreme doughnuts to recover a stolen delivery truck that was found near a downtown bar. The truck had been stolen when its driver left the engine running as he made a delivery. The local Krispy Kreme manager showed his gratitude by letting officers keep the evidence.

SOUTHEAST



FLORIDA — In a move aimed at cutting speeding and reducing traffic fatalities, the Florida Highway Patrol in December began a stealth patrol composed of 18 troopers who drive sporty, unmarked Mercury Marauders. The cars, which cost \$31,000 apiece, were all paid for by an anonymous benefactor.

A Gainesville man, Mount Lee Lacy, has been charged with animal cruelty for biting his Jack Russell terrier as punishment. Police answered a call from Lacy's girlfriend's mother because she overheard an argument between Lacy and her daughter about the way he disciplined his dog. When police responded, Lacy was holding a 200-pound bull mastiff on a leash in an effort to keep the officers back.

GEORGIA — Students at the Lake Dow Christian Academy in McDonough were evacuated Dec. 9 after a 14-year-old classmate brought a pipe bomb to school. The boy tried to sell the bomb to other students so that he would have money for Christmas presents but he couldn't find any buyers. Instead, several other boys told their parents, who in turn alerted school officials. Police later searched the boy's home and found two unfinished pipe bombs.

LOUISIANA — The state Supreme Court slapped Judge Timothy Ellender with a six-month suspension for showing up at a Halloween party in a prison jumpsuit, handcuffs, Afro wig and blackface makeup. Ellender was also ordered to take a course in racial sensitivity.

Harahan Police Chief Peter Dale has been actively fund-raising for the department, collecting donations and using volunteer labor to renovate a space in City Hall for police training, refurbish police headquarters and build a memorial for officers who died in the line of duty. A group of donors

calling themselves "Friends of Harahan Police" is dedicated to seeking better pay for police. Two previous attempts to raise taxes for that purpose were unsuccessful.

NORTH CAROLINA — Convicted sex offender Zay Harold Jones, 73, who was playing Santa Claus, was arrested after an 11-year-old girl who was playing his elf told a woman in a rest room that Jones had touched her inappropriately.

David Herbert Witham, 43, of Greensboro, was caught peeping in a women's locker room in the YMCA, when a woman in an adjacent shower stall spotted his bare, hairy feet. Witham was using a mirror to catch glimpses of the women showering.

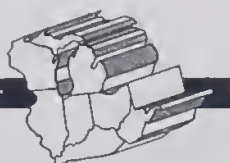
The Durham Police Department has launched a PINP unit. The Prostitution Impact Mitigation Program allows police to post on the web the photos of people arrested on prostitution charges along with the men's names, addresses and charges.

After state Trooper Clinton J. Carroll failed to appear at the Durham County court, 11 Hispanic defendants charged with traffic violations were found not guilty. In an earlier case involving a Hispanic defendant, a judge found that Carroll had engaged in racial profiling. Carroll was cleared by the Highway Patrol after an internal investigation.

TENNESSEE — Two Nashville undercover detectives, Ernest Cecil, 47, and Ulysses Hernandez, 29, were suspended and had to surrender their guns after drinking off duty in a night club while armed. The two had to be removed from the club by other officers because they refused a security guard's request to leave.

VIRGINIA — With a grant from the Police Department's Clergy for Safe Neighborhoods program, Richmond police recently gave \$10,000 to the Virginia Cares program. The money will be used to help juvenile and adult ex-convicts make the transition to community life.

MIDWEST



ILLINOIS — Former Chicago police officer John L. Smith, 55, faces 10 years to life in prison after being convicted on drug conspiracy, money laundering and tax charges in connection with the disappearance of 20 kilograms of cocaine from the police department's evidence warehouse. Smith, who retired in 1999, had claimed that his new wealth, which included a Rolls Royce, several homes, furs and jewelry, was from a lucky streak at Las Vegas casinos. Records of his gambling activity, however, showed that he had actually lost \$170,000 over a five-year period.

INDIANA — Elkhart Mayor Dave Miller and Police Chief Pam Westlake have acknowledged that they made a mistake when they gave the go-ahead for the tree that stood in front of the police station to be cut down and used as the municipal Christmas tree. The tree had been planted 20 years ago to as a memorial to Elkhart officer Dennis Crowder, who died in 1980 after a long illness. Miller said that nobody realized

the tree was a memorial. The Crowder family has been assured that another tree will be planted in their son's name.

KENTUCKY — A judge has ordered Joseph Allgeier to spend 54 days in jail for impersonating a police officer in prank phone calls. Allgeier, a Louisville resident, would call people, identify himself as a police officer, and tell them that a family member had died.

MICHIGAN — Eighty-nine new troopers started work in December — the first new recruits since 2001, when a budget crunch made it impossible to run a trooper school. The newest class included 10 women and 79 men, and nearly 40 percent of them have college degrees.

Police in the Midland area are warning gun shop owners to use extra security after a series of burglaries committed by what police believe may be the same group. Officials say the crew may be responsible for stealing up to 41 weapons for probable sale on the black market.

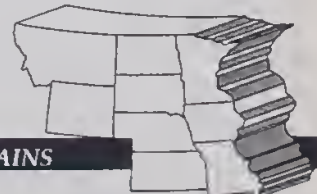
OHIO — Despite the fact that Ohio used Amber Alert 33 times in 2004 — more than any other state — Waite Hill Police Chief Arnold Stanko, the chairman of the Northeast Ohio Amber Alert Committee, says the state is using the system correctly. For every time the system is used, according to a state Highway Patrol spokeswoman, seven requests for alerts are turned down, as police make sure that all criteria are met.

Former Gallia County deputy sheriff Shawn Burton, 34, was convicted Dec. 3 in the 1991 kidnapping and rape of the 13-year-old son of a female co-worker at the sheriff's office. Authorities are also looking into the December murder of Burton's mother. He and his father are suspects in the slaying.

A crime bill introduced by Representative Robert E. Latta (R-Bowling Green) would require DNA testing on partial remains. Current law requires that DNA be extracted from bodies found in Ohio and tested against missing-persons cases, but not if only partial remains are found.

WISCONSIN — Pleading guilty to a reduced charge, Milwaukee County sheriff's Sgt. Daniel J. Lent avoided jail time for using a telescoping mirror in a tanning salon to peek at a woman taking off her clothes. Lent had worked in the Milwaukee County Jail, where the mirrors were used to look around corners during building searches. He has since resigned from the department.

PLAINS



IOWA — Des Moines police were surprised recently to discover a complete list of officers' names and addresses when they raided a storage unit that contained alleged bomb-making materials. Officials said that the materials were stolen from an officer's car about a year ago.

Charges against a woman who struck and killed a boy in front of his parents' home

were dropped when Cedar Rapids Officer Jared Hicks didn't show up for trial. Hicks said he never received a subpoena and didn't even know there was a hearing. In order to avoid a similar situation, police say they will start double-checking subpoenas.

The Iowa Freedom of Information Council maintains that information about the shooting of Robins Police Chief Lyle Rusk in November should be released because it is public record. Sgt. Carol Currans was handling a handgun when it accidentally discharged, wounding Rusk in the neck. The Linn County Sheriff's Department and the county attorney's office are investigating.

KANSAS — Officials at the state Bureau of Investigation said that they have just generated the 100th hit of a suspect in a cold case, as a result of leads from a DNA database containing 41,000 samples from convicted felons. KBI Director Larry Welch believes it is only a matter of time until DNA leads to the capture of the serial killer who calls himself BTK, who is linked to eight unsolved homicides.

MISSOURI — Bridgeton police and the FBI have recovered much of the more than \$2 million in art works stolen from a local storage unit in October, but more than half of the collection is still missing. The stolen items included paintings, prints and sculptures by Picasso and other prominent artists.

Officials at the state's new maximum-security Jefferson City Correctional Center have decided that inmates may no longer play video games that simulate murders — including cop killings — and other acts of violence. The games are paid for by inmates' purchases at the prison canteen. A committee of inmates, prison staffers and correctional officials, which decides on how to spend the money, felt that video games were a good way to keep prisoners busy.

An anonymous tipster who is eligible for a \$40,000 reward after giving information that led to an arrest in the murder of a Kansas State University student has asked instead that the money go to a foundation set up in the student's memory. Ali Kemp, 19, was strangled two years ago while working in Leawood at a neighborhood pool. Many tips had led nowhere until one led police to Benjamin Appleby, who was arrested in Connecticut while living under an assumed name. He has been charged with attempted rape and capital murder.

NEBRASKA — The Nebraska State Patrol has regained accreditation after a year without it, when it withdrew from reaccreditation efforts in a dispute with auditors about how the agency assigns manpower. In December, Gov. Mike Johanns ordered the State Patrol to do whatever was necessary to become reaccredited.

Anonymous mercury-laced letters criticizing the Lincoln Police Department were recently sent to Mayor Coleen Seng and Police Chief Tom Casady. Casady's aides did not open his letter as they had been forewarned by the mayor's office.

Two appeals that recently reached the state Supreme Court with regard to accurate translation of Miranda rights have underscored the challenges facing the state, where the percentage of the population that is

foreign-born shot up from less than 2 percent to over 4 percent in the past decade. At issue was the conjugation of the Spanish verb "poder," which means "able to" or "can," which a client's attorney said indicated a possibility of, not a right to, a free, court-appointed lawyer.

NORTH DAKOTA — In the wake of the murder last year of Dru Sjodin, allegedly by a convicted sex offender, North Dakota is trying to strengthen its sex offender laws to make them among the strictest in the country. A new parole unit is partnered with an expanded sex offender program at the state psychiatric hospital. Under the program, the most serious sexual predators are recommended for civil commitment when they are released from prison. The number of civilly committed offenders has doubled in less than a year to 23.

SOUTH DAKOTA — In a move that has angered some officers, Aberdeen Police Chief Don Lanpher Jr. has proposed a rotating schedule to replace the department's current three-shift fixed schedule. In 1989, the department had tried rotating shifts but stopped after a year and after several officers quit. Although some officers are saying they will quit this time as well, Lanpher says that the positives of the proposal far outweigh the negatives and that the proposed system would make for more well-rounded officers.



ARIZONA — Tucson will be joining a long line of cities that are returning to their roots when it takes delivery of 50 black and white patrol cars. Assistant Police Chief Roberto Villaseñor thinks the new cars will enhance the department's professional image.

Phoenix police Sgt. William Wren was demoted to officer for canceling tickets issued for his own car. He also told investigators that he canceled tickets issued on other vehicles because he felt parking enforcement personnel were targeting certain people and being overzealous. The department has since changed its procedures for voiding parking tickets, ordering supervisors to cancel tickets via a computerized system after getting approval from commanders.

COLORADO — Law enforcement officials in the Denver metro area have formed the Rocky Mountain Safe Streets Task force, made up of 13 agencies, including the FBI and Denver and Aurora police. The task force will target violent crimes, gangs, crimes against children, transportation crimes, major thefts and violent fugitives.

NEW MEXICO — In a move aimed at improving recruitment and retention of officers, Espanola has changed its take-home patrol car policy by increasing from 12 to 50 miles the distance an officer may drive home. Police Chief Richard Guillen said that an estimated 75 percent to 80 percent of the city's officers live outside Espanola.

Lured by high pecan prices, thieves are targeting orchards in southern New Mexico.

Inclement weather has ruined the crops in other parts of the country.

OKLAHOMA — Tulsa Police Chief Dave Been last month called the Islamic Society of Wichita, Kan., to apologize for comments he made about terrorists in Tulsa and Wichita. Been had originally said that there were al-Qaeda cells operating in both cities. Later he said that there is no evidence of such activity, but rather that there may only be terrorist sympathizers in Tulsa.

Oklahoma City Police Officer Paula Schonauer, who underwent surgery in 2002 to become a woman, is suing the police department for sexual harassment. She claims to have been the subject of constant harassment that it is interfering with her ability to do her job.

TEXAS — Austin officer Amy Donovan, 37, died in November after being accidentally run over by her partner, Officer Adrian Valdovino. The two officers saw someone engaging in suspicious activity. Donovan jumped out of their patrol car but the man fled. Valdovino put the car in reverse with the intention of stopping the man but accidentally struck Donovan.

After Taylor police purchased a wireless network and patrol car laptops with a \$110,000 grant from the U.S. Department of Justice, the department invited all law enforcement agencies in Williamson County to piggyback onto its server at no charge. Officials say that if all agencies are connected to the same network, all officers could communicate with each other with instant messages.

UTAH — Salt Lake City Police Officer Cameron Cafferty was placed on paid administrative leave after being charged with lewdness for allegedly fondling himself in front of people at a beauty supply store. Cafferty has denied the charges, saying it is a case of mistaken identity.

A survey conducted by the Park City Fraternal Order of Police intended to identify and solve problems in the police department has revealed an undercurrent of discontent among the officers. Of the 18 to 20 who responded, most indicated that they did not trust the police administration and that there was little cooperation among the divisions. Police Chief Lloyd Evans has already set up an advisory team and had the entire department of 25 officers and 15 civilians meet to speak their minds.



CALIFORNIA — Los Angeles Police Chief William J. Bratton curtailed training classes through December in a year-end push to put 80 to 100 more officers on patrol. Although violent crime is down 13.5 percent from the previous year, the figure is still short of Bratton's goal of a 20-percent reduction. Mayor James K. Hahn, who hired Bratton, wants to use the reduced crime rate as a key feature of his reelection campaign.

A delay in setting up an early warning system designed to identify problem officers in the LAPD will probably result in the U.S. Department of Justice extending a court-ordered oversight program that was supposed to be lifted by 2006. The department has already spent \$18.3 million on the system, with another \$16.4 earmarked for it but as yet unspent.

The LAPD recently unveiled three new movie-trailer-style recruiting ads that will be seen in local theaters and on the Internet. The ads feature mini dramas that depict officers responding to various police situations. The actors are officers "with Hollywood good looks" who were selected in a rank-and-file casting call.

The San Diego County district attorney's office recently embarked on a project, unprecedented for a prosecutorial agency, in which 766 cases of county convicts were reviewed to see if DNA evidence could shed further light on their convictions. The review failed to exonerate any of the inmates.

Los Angeles police plan to crack down on rave parties, after the fifth incident last year in which a person was shot at such a party. At the latest incident, in November, Officer Mario Cardona and three other people were wounded. The suspect was killed.

HAWAII — Eddie Bellomuni, who resigned from the Honolulu police force last June, pleaded guilty in November to selling human growth hormone to an undercover FBI agent.

IDAHO — Nita Friedman, 66, was jailed after she led police on a 15-mile chase that ended with her tires being blown out by a spike strip. Friedman said she was confused because the vehicle pursuing her, driven by Bonners Ferry Police Chief Mike Hutter, was a Chevy pickup truck with lights in the grill.

NEVADA — The Legislature is expected to look at a proposal by the Las Vegas Police Department that would require the Department of Motor Vehicles to verify that vehicles are not stolen before they are registered. DMV officials say that they do not have access to the National Crime Information Center database, which keeps track of auto thefts. Last year, the DMV registered 165 stolen cars.

OREGON — In Pendleton, the new year has brought a daytime curfew that bans the town's minors from being out during school hours unless accompanied by a parent or guardian or traveling to or from school.

Albany resident Rick Pyburn got so fed up with speeders going past his property that he built a fake front end of a sheriff's vehicle and put it in some bushes near the road. Benton County Undersheriff Diana Simpson said that the sheriff's office doesn't mind the tactic, but wished there were more deputies on duty so that residents didn't have to rely so much on their own ingenuity.

WASHINGTON — At least one officer has been suspended as a result of an investigation by King County prosecutors and the FBI into whether Seattle police doing off-duty security work at clubs are overlooking some criminal activities — or even participating in the criminal activities themselves.

SHORT TAKES —

Arresting development

Wisconsin law enforcement officers made nearly twice as many arrests per capita in 2002 when compared with the national average, according to a study released in December by the Wisconsin Taxpayers' Alliance.

In its report, the group found that Wisconsin recorded 8,286 arrests per 100,000 residents that year, compared to the national average of 4,839 per 100,000.

Some have attributed the difference to a higher number of police officers in Wisconsin. Citing Census Bureau data, Jim Cardinal, executive director of the state's Sheriffs and Deputy Sheriffs Association, found that Wisconsin had 2.8 officers per 1,000 residents in 2002, compared to a national average of 2.7 per 100,000.

But Stan Stojkovic, a University of Wisconsin-Milwaukee criminal justice professor, believes it is the way the state reports crimes, not the number of police.

"Wisconsin does an awful job of separating out civil forfeitures from arrests," he told *The Associated Press*. "In other states, for disorderly conduct, vandalism or a liquor law violation, it's usually not recorded as an arrest."

The study also found that Wisconsin ranked 45th among the states in the level of violent crime and 36th in property crime. At the same time, census data rank the state 17th in the number of arrests for violent crime, but first in arrests for disorderly conduct and vandalism.

Will it play in Playas?

Those few residents who remain in the economically-depressed town of Playas, N.M., can hardly wait to be "bombed" or "poisoned" by homeland security experts contracted by the federal government to turn the community into a counterterrorism training center.

The Department of Homeland Security helped the New Mexico Institute of Mining and Technology buy Playas for \$5 million last September. With a whole town at their disposal, experts can stage mock bombings, water supply poisonings, even the detonation of a "dirty bomb."

The first exercise will be a suicide bombing that unfolds in four different scenarios: a bomber on a bus, in a house, with a suicide belt and in a bomb-making factory. Black Hawk helicopters will deliver SWAT teams, residents of Playas will be the terrified public.

A former copper company town, Playas — now called Terror Town U.S.A. — became a virtual ghost town after the Phelps Dodge Mining Co. closed its smelting operation there in 1999. A population of 1,000 was whittled down to about 50 or so residents.

But when the government begins staging its counterterrorism exercises, federal dollars that translate into jobs will flow into the community's cash-starved coffers. While overseas clients will be able to conduct training in Playas, the federal government will be the center's primary user.

Bobbies lay down their arms

Protesting the suspensions of two of their own, more than 125 members of Scotland Yard's specialized firearms squad handed in their "blue cards" in November, the document that authorizes their use of guns.

The unprecedented action stemmed from a 1999 incident in which Inspector Neil Sharman and P.C. Kevin Flanagan shot and killed a man they mistakenly believed to be carrying a sawed-off shotgun. The victim, a 46-year-old painter and decorator named Harry Stanley, turned out to be carrying a Queen Ann-style table leg wrapped in plastic.

Sharman and Flanagan were suspended after an inquest panel in October rendered a verdict of unlawful killing in the case. An earlier inquest in 2002 ended in an open verdict. Stanley's family won a victory in April when the High Court quashed that finding on the grounds of "insufficient investigation."

Glen Smyth, chairman of the Metropolitan Police Federation, which represents the officers, called the decision to suspend the two officers "a knee jerk reaction." In an interview with *The Daily Telegraph* of London, Smyth said: "It is five years since the incident in question, during which time both officers have been carrying out valuable work on non-operational duties. The suspension means that the Met have lost their services for no justifiable reason, as have the public."



Sir Ian Blair, who will become Commissioner of the Metropolitan Police in February, said he would not be reinstating either officer, as it would be "contrary to the public interest" to do so.

Blair told *The Birmingham Post* that the officers' suspended status would be reviewed monthly until the Crown Prosecution Service decides whether or not to bring criminal charges against them.

The protest by members of the 400-strong firearms squad, called the SO19 unit, concerned both government officials and police chiefs. While officers in other squads such as the Special Branch are authorized to carry weapons, none are as highly trained as those in SO19, according to Scotland Yard sources. Such officers play a key role in the Met's anti-terrorist and armed gangs operations.

The officers told Sir John Stevens, the current commissioner of the Met, that they were willing to work, but would not resume

their gun-carrying duties. They condemned the suspensions of Flanagan and Sharman, and what they called a lack of support from the department and the law.

Between April 2002 and March 2003, nearly 4,000 people suffered gun injuries in England, according to figures released by the Home Office. Of those, just over half suffered minor wounds caused by air guns.

As volunteers, SO19 officers could not be disciplined for their refusal to carry firearms. In theory, however, the "special priority payments" they are believed to earn as members of SO19 could be held back, *The Telegraph* reported.

Smyth said the case had thrown into question all of the training and guidance given to firearms officers.

"The officers are very concerned that the tactics they are trained in, as a consequence of the verdict, are now in doubt," he told BBC Radio 4. "They want some clarity around what they are expected to do."

Downgraded crime reports raise a few eyebrows, lower crime rates

Continued from Page 1

a news conference, and quickly impaneled a seven-member committee to review the agency's crime reporting procedures and issue a report to St. Louis's Police Board.

The panel's report found no intent on the part of the department to mislead the public on the safety of the city. Furthermore, the use of memos, it said, had little if any impact on St. Louis's crime totals.

A review of 475 memos from Jan. 1, 2003, to May 31, 2004, by Scott H. Decker, a University of Missouri-St. Louis criminologist and panel member, found that even if official reports had been written on all major crimes, it still would have increased totals by just one-third of 1 percent.

Still, Mokwa banned the use of memos. The change in the method of reporting was instituted in 2003. Under the old system, officers dictated reports over the phone to typists. The less formal memos were written on computers in cars or in stations. However, many of those memos, the panel found, wound up in desk drawers. This was particularly so when police questioned a victim's truthfulness, it said.

Sgt. Ron Oldani, president of the St. Louis Police Officers Association, said police struggled with the new system. One problem was that patrol-car laptops could not run the software necessary to write the reports. Back at the station, there could be as many as 15 to 20 officers waiting to get on a computer, he told *The St. Louis Post-Dispatch*.

Under new guidelines issued by department officials for filing reports, officers must

submit an incident report within two days of responding to a crime. After it is initialed by a supervisor, it is sent to the department's crime data unit, where it is logged into the city's crime statistics.

Said Oldani: "[Mokwa] told the commanders, 'This is going to happen and pay these guys the overtime to make it happen.' So if a guy has to sit around for a few hours to get on a computer, it's going to happen."

Mokwa ordered that the 485 memos written last year be converted into official reports and reviewed to see if it were still possible to bring charges in some cases. The department is also reviewing cases cited by *The Post-Dispatch* in a two-part story published in November. Those complaints were found to have been described in memos, but not in official reports.

Criminal charges were filed against suspects in at least two sexual assaults.

After a criminologist from the University of St. Louis — Missouri hired by *The Post-Dispatch* to analyze the city's rape numbers found them to be suspiciously low, Mokwa enlisted other criminologists from the university to determine why.

According to *The Post-Dispatch*, the department added 50 rapes in the last two months of 2004 to the 61 already recorded. At that rate, reported the paper, the agency should have a total of 300, which would put it more in line with other cities of its size.

Figures released by Mokwa in January this month included 1,000 crimes mistakenly left out of the 2003 figures. When adjusted for the error, 2003 had more than 53,000 crimes

— the highest total in seven years — but last year had just over 45,000, one of the lowest totals in recent memory.

Major crimes fell by more than 12 percent in 2004, but murders rose by 54 percent and rapes by 37 percent over 2003, said Mokwa.

The audit panel will scrutinize the 2004 reports all the way from calls for service through conclusion. It will also monitor the system's performance through 2005.

"Any victim in this city, any individual, is important to me," Mokwa told *The Post-Dispatch*. "I'll leave no victim behind."

In New Orleans, the City Attorney's Office and the Civil Service Department are hoping that a settlement can be reached after two weeks of testimony in December that brought the case no nearer to closure.

The officers all came from the city's 1st District. Its former commander, Norvel Orazio, and his top four assistants — Lt. Michael Glasser, Sgt. Aaron Blackwell, Sgt. Gary Le Rouge and Officer Stephen Knebel — were fired. A sixth officer from the district, Lt. William Ceravolo, was demoted to patrolman.

PIB investigators analyzed nearly 700 of the district's reports written between January 2002 and June 2003, and found that 42 percent of violent crimes such as shootings, carjackings and stabbings were downgraded to "miscellaneous incidents" or lesser crimes. Downgrades were questionable in another 17 percent of the cases.

The fired officers maintain that any downgrading that occurred was based on professional judgment.

An end to run-on sentences

Coalition of black groups to focus on education, prevention

Identifying drug abuse as a key reason why more African-American men are in prison today than attending college, a coalition of 10 black professional groups has set itself the task of reversing that trend within the next five years by calling for policies that focus on prevention and treatment rather than prison.

By the end of 2000, 791,600 black men were in the nation's prison system as compared to 603,032 who were enrolled in college, according to a study published two years ago by the Justice Policy Institute. Conversely, in 1980 the ratio of blacks in higher education institutions to those in prison in 1980 was 3 to 1.

The explanation for the shift is simple, the solution complex.

It is a three-fold problem, noted Arthur L. Burnett, a retired senior judge in the District of Columbia and executive director of the newly formed National African American Drug Policy Coalition (NAADPC).

Many black children — particularly boys — drop out of high school before graduating, leaving them unqualified to find work in a high-tech job market, Burnett told Law Enforcement News. They are also arrested in larger numbers than whites are because police tend to concentrate their presence in ghetto and public-housing communities where they can easily observe drug trafficking.

"I'll put it very frankly," Burnett said. "If they have prior arrests and prior convictions because they have not

been employed, they are incarcerated in prison at a far greater rate than first- or second-time white offenders. The accumulation of being involved in juvenile adjudications at 14 or 15, having two or three criminal convictions by the time they're 25, even myself as a black judge would send them to prison."

The Washington-based coalition, which was launched last April, was founded by Clyde E. Bailey Sr., immediate past president of the National Bar Association and patent counsel for the Eastman Kodak Co. The coalition also includes the National Organization of Black Law Enforcement Professionals, the Congressional Black Caucus Foundation Inc., the National Black Caucus of State Legislators, the National Association of Black Sociologists and the National Association of Black Psychologists, among other groups.

One of the coalition's goals is to persuade Congress to pass legislation that would create a federal system of drug courts overseen by U.S. magistrates. There are more than 516 adult drug courts in the United States right now, with another 281 in the planning stages, but they exist only at the state level.

"The drug courts are fine, but they are only dealing with an infinitesimal amount of people," Burnett told The Associated Press at the time. "They don't have all the resources to deal with all the people who really need help. One of our big missions is to educate legislative bodies for more intensive and more elaborate treatment. To do that,

they need more money."

Even so, a bigger problem is mandatory minimum sentences, he told LEN. The coalition hopes to convince state lawmakers to soften mandatory minimums, or at least create a qualifier that would give prosecutors the authority to opt out and permit nonviolent drug offenders to go into treatment rather than be incarcerated.

In mid-November, Burnett noted, Pennsylvania Gov. Ed Rendell signed legislation doing just that.

In addition to lobbying for alternatives to incarceration and a public-health approach to drug treatment, the coalition will intensify efforts to educate black youngsters as young as age 9 or 10 about the consequences of illegal drug use and binge drinking, Burnett said.

Each of the coalition's member organizations will create a directory of members who are willing to be mentors to young black students.

"If you stay in school, you're not truant, you don't drop out, you aspire to do your best... you maintain a B average or better, we will have a person in the field you want to go into work with you as a surrogate parent from that point through high school, college, professional school, grad school or vocational school," said Burnett.

Seven pilot cities have been chosen for prevention and therapeutic programs. Chicago; Huntsville, Ala.; Flint, Mich.; Seattle, Baltimore, Washington, D.C., and an as yet-undetermined city in the U.S. Virgin Islands.

Mass. appeal:

Instant background checks hit the bullseye

By giving would-be gun purchasers and firearms stores little to complain about in terms of speed and efficiency, Massachusetts appears to have developed that rarest of birds: An electronic background-check system that has the blessing of both buyers and sellers.

The Massachusetts Instant Record Check System is believed to be the first of its kind in the nation to have a biometric feature. A fingerprint scanner attached to a computer terminal links police departments and gun shops to a central database. Some 159 of the terminals have been installed at police departments around the state, and at four of its largest gun stores. By this coming summer, authorities would like to have it set up at all of Massachusetts' 351 departments and all of its gun stores.

Six years in the making at a cost of \$7 million, the system was developed by the

state's Criminal History Systems Board, a branch of its Department of Public Safety.

"It represents a quantum leap in public-safety information-technology applications," Secretary of Public Safety Edward A. Flynn told The Associated Press. "This enables us to make sure that the only people bearing arms in the commonwealth have the right to bear arms."

Massachusetts' law requires anyone attempting to buy a gun to first obtain a license from their local police department. Under the old system, gun shops and police kept paper records on individuals. Their fingerprints would be taken manually and a photograph pasted onto the license.

Criminal histories would only be updated at the time the license expires, or if police happen to learn of an arrest.

Said Police Chief Philip Mahoney of Woburn: "We might not be notified at all if

someone was put under a restraining order."

In December, Woburn police confiscated 13 guns from the home of a man whose restraining order, issued only moments earlier, had popped up on the department's instant-check terminal.

"We were able to go to the individual's house immediately after the restraining order was issued," Mahoney told The New York Times, "which is the most dangerous time for a batterer. It's a time when the victim is probably moving out, and the risk of violence is highest."

Flynn is working with the federal Bureau of Alcohol, Tobacco, Firearms and Explosives to consolidate Massachusetts' system with that of the federal government, at present, a gun buyer must undergo both. The federal system requires that a clerk in the store call the FBI or a state police agency before the gun is sold.

Where the state's system pulls ahead of the federal one is its fingerprint verification requirement and the timeliness of its data. Plus, it is cheaper for firearms dealers.

In the past, gun stores paid 50 cents per gun form, not including the postage to send a copy to the Criminal History Systems Board.

Carl Ingrao, the owner of Four Seasons Firearms in Woburn, one of the largest gun stores in the state, estimates that the instant-check system will save him approximately \$2,000 a year.

"The computer is actually quicker, more efficient and less expensive for the dealer," he told The Times.

Four Seasons Firearms has been part of a pilot program testing the system since last June. During that time, said Ingrao, he has sold over 2,000 firearms with nary a negative comment from customers.

"A few months ago, they had to take the system down for a day for a software upgrade, and we had to go back to filling out all the old paperwork," he said. "My clerks

were saying, 'Hey, the computer is better!'"

With the new system, wallet-sized licenses produced by the Criminal History Systems Board can be issued in 24 to 48 hours, in sharp contrast to the 45 days the law allows departments to take.

"You hit the button," said Ingrao. "Before the customer leaves the store, the state knows they purchased that firearm."

LAW ENFORCEMENT NEWS

Founded 1975.
A publication of
John Jay College of Criminal Justice,
City University of New York.
Jeremy Travis, President

Marie Simonetti Rosen
Publisher

Peter C. Dudenhoff
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Law Enforcement News is © 2005 and published monthly by LEN Inc. and John Jay College of Criminal Justice, 555 West 57th Street, New York, NY 10019. Telephone: (212) 237-8442. Fax: (212) 237-8486. E-mail: len@jjay.cuny.edu. Web site: www.jjay.cuny.edu/len. Subscription rates: \$28 per year. Advertising rates available upon request.

Requests for permission to reprint any portion of Law Enforcement News in any form or medium should be addressed to Marie Simonetti Rosen, Publisher. ISSN 0364-1724. Law Enforcement News is available in microform from University Microfilms Inc., 300 North Zeeb Road, Dept. P.R., Ann Arbor, MI 48106.

Md. firearms database is no crime panacea

Collecting data on every handgun sold in the state has not helped a single criminal investigation, according to a report issued this month by the Maryland State Police.

Since a law was adopted in 2000 that required the agency to establish a database on ballistic "fingerprints," the state police has gathered information on more than 43,000 guns, at a cost of \$2.5 million.

"It's not yielding any results," Sgt. Rob Moroney, a state police spokesman, told The Washington Post. "The program simply has not met expectations and does not aid in the mission statement of the department of police."

Every handgun sold in Maryland must be test-fired by the manufacturer and its

ballistic markings entered into a state database. Only six "hits" have been produced, according to the report, and none was used in a criminal trial.

Leah Barrett, executive director of the gun-control group CeaseFire Maryland, acknowledged that the program had technical flaws. For example, local police agencies cannot directly access the database. But with time and improved technology, she told The Post, the program can yield important results.

"You just need a bit of imagination, a bit of skill and a bit of competence in your state police, as well as a bit of political courage," said Barrett, "and frankly we're lacking that here in Maryland."

W. Monroe doctrine

The challenge that **Christopher Elg** has faced over the past year as chief of West Monroe, La., is the type that all police executives should crave: How to make a great department even better.

Elg is the first new chief West Monroe has had in 25 years. His former leader, **Larry LaBorde**, left in 2003 to head the campus police force at the University of Louisiana in Shreveport. But he left to his successor an agency that runs like a watch.

"Part of the ease, or joys, of being chief here," Elg said, "is that back in 1993, [LaBorde] had the vision and the backing of the city to be the first municipality in the state to receive national accreditation from CAALEA."



Christopher Elg
Settling down

I walked into an agency that had been continuously reaccredited for 11 years."

It has made a difference, said Elg. And he should know. In the past 20 years, Elg has zigzagged across the country serving in different law-enforcement capacities.

He began his career with the Tarrytown, N.Y., Police Department in 1985, but left within the year to join the New York State Police. After a decade as a state trooper, Elg accepted a position as chief of police in Medical Lake, Wash. He came back east in 1996 to take the reins of the Carteret, N.J., Police Department. Immediately prior to moving to West Monroe, Elg served as director of public safety in Van Buren Township, Mich.

Along the way, he earned both a bachelor's degree in police science and a master's in public administration from John Jay College of Criminal Justice.

"I used to kid around with people that I was on a quest to live and work in all 50 states," Elg told Law Enforcement News. "But now that I've been here a year, I'm not sure my wife and my family and I really enjoy the area. I love my job, it's an outstanding department, with good bosses."

The West Monroe department does not have a union or a contract with the city. Elg said that not having those issues to deal with has allowed him to do more of what he calls "nuts and bolts" leadership, such as making sure the department's services are effective and delivered efficiently.

Officials have made a commitment to the

department that its budget will always be well-funded in the area of training. "I guess I'm just not used to that aspect of it, having had to fight for every single dollar," said Elg.

Of the 70 full-time officers and staff, and the 25 reserve officers, only one or two in the department have ever worked for a chief other than LaBorde or Elg.

Among the benefits of having just two frames of reference, said Elg, is that personnel are less jaded. Changes in the West Monroe department are met by officers with enthusiasm rather than "here we go again," he said.

"I can't speak for everybody, but I think the general consensus would be that the past year we've done some great things," he said. "It's really a team concept I try to instill in the department."

Policing from scratch

Is there a distinction between a "police" officer and a "law enforcement" officer? Yes, according to Lone Tree, Colo., Chief **Stephen Hasler**, who says that a police officer is someone who solves problems, while a law enforcement officer is someone who writes tickets. And under his leadership, the city's police department will be staffed by the former rather than the latter.

Lone Tree is the first jurisdiction in Colorado in 21 years to swear in a new force. When it was incorporated in 1995, the affluent Denver suburb entered into a \$2 million-a-year contract with the Douglas County Sheriff's Department for police services. But given Lone Tree's growth, which is expected to rise from 8,000 residents to 50,000 over the next 20 years, city officials believed it made more sense to build a department from scratch.

The city began policing itself on Jan. 1. Hasler is a former bobby from Hertfordshire, England, who immigrated to the United States in 1990. He has worked as a Pueblo County sheriff's deputy and as a patrol officer in Manitou Springs. Before being hired by Lone Tree, Hasler served as chief of Erie, Colo., for 10 years.

Over the past few decades, the prestige and community cooperation that police could once expect has declined, said Hasler. The best way to get that back, he believes, is through community policing.

The 22 officers who make up the Lone Tree force — all lateral transfers from other area departments — are expected to become part of the community. That means working the concession stands at high school football games and attending community meetings.

"What you don't know, you don't trust," Hasler told The Denver Post. "What you don't trust, you don't like. It created a situation where the population we were sworn to protect didn't like us because they didn't know us."

Lone Tree's officers will have "ownership" of the city, he said. "When the community is behind the police department, it's a strong force to be reckoned with."

Russell Paul Caternicchio, the department's records technician, has a doctorate and worked for 28 years prior to joining the Lone Tree department. "This is a special department," he told The Post. "The officers are totally committed and dedicated. This police department is commensurate with the caliber of the community."

Oh boy, oh Boise

When Boise, Idaho's acting police chief, **Jim Tibbs**, retired on Dec. 31, he took 34 years of professional know-how with him.

A lieutenant, Tibbs stepped in last February after former chief **Don Pierce** was asked to resign by Mayor **Dave Bieter**. But when Tibbs applied for the permanent appointment last summer, he was not one of the two finalists.

"He brought peace to a department that had been in turmoil for quite a long time," **Guy Bourgeois**, vice president of the city's police union, told The Associated Press. "He brought morale back up. He's been one of the best chiefs we've had."

Bieter selected a Madison, Wis., captain, **Mike Masterson**, who was sworn in in January.

Pierce was ousted after a community ombudsman found he had conducted a shoddy investigation into a trip to New York City taken by ex-Mayor **Brent Coles** in 2002. Pierce found no criminal violation, but less than a year later Coles pleaded guilty to misusing public money in connection with the trip.

"I leave my heart here with the department," said Tibbs. "But I do not leave my commitment to this community, to public service, or to assisting this police department in whatever way I can."

City Councilwoman **Maryanne Jordan** said she was not surprised, since Tibbs had had intended to retire at the end of December. "That was his plan," she told The AP.

Thanks for the memory

A researcher whose work on false memories has so riled abuse victims and their advocates that it has earned her death threats was honored in November as the winner of the 2005 University of Louisville Grawemeyer Award for Psychology.

Elizabeth Loftus, a professor of criminology and psychology at the University of California-Irvine, is the most controversial figure to win the \$200,000 prize since former Soviet president **Mikhail Gorbachev** won in 1994, said **Rich Lewine**, a Louisville professor and chairman of the award.

At issue is Loftus's contention that repressed memories do not exist. As co-author of a book titled "The Myth of Repressed Memory: False Memories and Allegations of Sexual Abuse," Loftus said that she has never seen evidence to support the theory. Memories can be altered by the questioning process in a criminal case with false memories leading to false accusations, she said. And they can be shaped by traumatic events.

Criticism of Loftus has been particularly intense within the community of sexual abuse victims and their supporters. So hostile has the reaction to her work been that the 60-year-old Loftus has been forced to attend speaking engagements with armed guards.

David Clohessy, national director of the Survivors Network of those Abused by Priests, charged that Loftus's work implies that his memory of being abused as a child in the 1960s was impossible.



Elizabeth Loftus
Try to remember

He is particularly distressed, he told The AP, that Loftus is being honored in Louisville. Since 2002, more than 200 people have sued the local Roman Catholic archdiocese and two religious orders alleging a abuse by priests and others associated with the church.

A \$25.7-million settlement was made with 243 plaintiffs in 2003 — one of the largest settlements of this kind in the nation.

"Her work has been used to give aid and comfort to child molesters," Clohessy told The Associated Press. "I'm sure there are plenty of psychologists doing important work. I wish one of them had been given this award instead."

Now you see them...

The abrupt firing in January of more than two dozen Clayton County, Ga., Sheriff's Department employees was done for security reasons, said newly-elected Sheriff **Victor Hill**, who announced the dismissals on his first day in office.

Four years ago, he said, DeKalb County sheriff-elect **Derwin Brown** sent out letters to 25 or so people letting them know they would not be reappointed. Just days before taking office, Brown was murdered in his driveway, in a hit ordered by the man he had unseated, former sheriff **Sidney Dorsey**.

The stunned employees — including five of the agency's highest-ranking officers — were stripped of their guns and badges. They exited the jail as department supervisors stood guard on its roof, and were driven home in vans used to transport prisoners.

"The main thing was this happening without having anyone getting hurt," said Hill. "It was not an easy thing to do."

A former county police detective and one-term legislator, the 39-year-old Hill had a contentious relationship with Police Chief **Darrell Partain**, who had refused to give Hill a leave so he could serve in the Legislature. When he finally gave in, Hill pushed a bill that would have put police operations under the command of the sheriff.

At least some of the 27 employees have already been replaced. All those fired are white; their replacements are all black.

Eldrin Bell, a former Atlanta police chief who is now chairman of the county commission, said he would help employees get their jobs back. Hill, he asserted, had violated the jurisdiction's civil service laws.

The LEN interview

Kim C. Dine

Police Chief of Frederick, Md.

Just about everyone remembers what they were doing on Sept. 11, 2001. Kim Dine, then a police commander in Washington, D.C., recalls that he was deeply involved with security preparations for the anticipated protests against a meeting of the World Bank just before an airplane slammed into the Pentagon. The weeks that followed, he recalls, were like a fog because he, like so many others, was putting in an almost uncountable number of hours.

Dine now heads the Frederick Md., Police Department, a position he took in June 2002. The way he describes it, Frederick "is close to major cities but far enough away to have a feeling that it can never happen here." Still, like so many chiefs around the country, he struggles to handle the additional duties that 9/11 brought, without any commensurate increase in funding. Like others who have criticized the five-color Homeland Security alert system, Dine says it's "like jumping in the air to the point where you're just supposed to stay in the air and you just can't." What has helped is the training the department received at the Center for Domestic Preparedness. Dine made sure that all his officers and even some civilian personnel people have been trained in dealing with weapons of mass destruction.

And if there is one thing Dine is big on, it's training. He created joint training between his officers and mental health professions to assist members of the community dealing with issues of mental illness. He enhanced cultural diversity training through the local community college. Officers have been trained in Spanish language skills. One training program he particularly likes — so much so that he sent an entire recruit class to attend it — is put on by the Holocaust Museum in Washington and the Anti-Defamation League. "It's about people's rights, it's about abuse of authority and it's about standing up for what is right and how those things can be corrupted," he notes.

Community policing for Dine is "elegant in its simplicity." For him it is "working with folks in neighborhoods to identify concerns, prioritize them, and come up with plans to address them." In this vein he divided the city into 12 small neighborhoods to "better dissect and analyze the issues." And it's not just some "warm and fuzzy" notion of community policing. "One thing that gets people a bit confused is that there's a belief that community policing and arresting folks are mutually exclusive," says Dine. "That could not be further from the truth; I think they go hand in hand."

Like chiefs in many medium-sized cities, Dine had his start in a large agency, the Metropolitan Police Department in Washington D.C., which he joined in 1975. He served in a variety of positions, the last of which was assistant chief in command of Internal Affairs, the Force Investigation Teams and the Disciplinary Review Division. He received his B.A. from Washington College in Chestertown, Md., and a master's degree from American University in Washington.

Making the transition to a smaller department comes with its own challenges. One of the more positive aspects, he says, is that in an agency of 135 sworn "you really get to know people as individuals," an attribute he sees as "heart-warming and energizing." The day-to-day issues may at times be frustrating, he observes, but "you have to have some perspective... and the fact is that the quality of the people who do this kind of work within our agency is really uplifting."

Law Enforcement News interview
by Marie Simonetti Rosen

LAW ENFORCEMENT NEWS: In the aftermath of 9/11, many law enforcement agencies have had to incorporate a wide variety of extra duties into their schedules, particularly when the country goes into an elevated alert mode. How have the terrorist attacks affected your department?

DINE: It is true that it has changed policing for the 17,000 some odd police agencies around the country. We all have to struggle with additional duties and responsibilities, training mandates — and most of the time without any additional funding. I took over here in 2002, with all of those thoughts of 9/11 pretty fresh in my head. We met with the command staff here, and we engaged in many in-depth discussions about what it is we should do to best prepare our agency for any kind of terrorism attack. We're close to major cities, but we're far enough to have a feeling that it can never happen here. It's a nice feeling, but again, we are fairly close to major cities. Plus we have Fort Detrick right here in Frederick.

We identified training provided by the Center for Domestic Preparedness, which is part of Homeland Security. Down in Anniston, Ala., they've taken over the old Fort McClellan and made that a campus for domestic preparedness. They provide all kinds of training down there, and it's free. So we forged a pretty good relationship with them, and we identified the various courses they provided. First we said we'll send our command staff, then we'll send all our supervisors. Then as we began to continue to work on this, we made a determination that we're just going to send our entire department. Through cost-effective planning, thinking ahead and every week or two trying to send a person or two, lo and behold, a year or two later, we had actually literally sent our entire sworn department, and even some of our civilian communications supervisors, down there for basic training. We've also sent a number of our folks to higher-level courses, such as our SWAT team.

LEN: Frederick is going to be the home of the National Biosecurity Analysis and Countermeasures Center at the former Fort Detrick. What does that mean for the police department and city residents? Do you feel that the level of risk associated with terrorism is going to increase in your area because of this new center?

DINE: That debate is ongoing as we speak. They held a community open forum to enlist input from the community about that exact question. They've issued a significant report regarding the environmental assessment. We have written a fairly extensive letter about the issue you raised, which they made part of their report. I think their official response pretty much is that they do not believe the expansion raises them too much higher on any threat level.

There are very sensitive materials inside

Fort Detrick now, and probably will be on an increased basis once the expansion takes place. They have been working very hard and spending large sums of money on internal security of all types. The argument I've tried to make is simply that the stronger and safer the outer perimeter is in the city, the stronger and safer Fort Detrick will be, or the new center, as you mentioned. So any assistance we can get from the federal government would be greatly appreciated.

LEN: When the country does go to an elevated alert level, in just about every city there are certain facilities that require more security. Would it be your department that would have to provide that?

DINE: Well, that's interesting, because that's literally what happened after 9/11. We ended up having extra details related to Fort



"I'm one of the police people who think that terrorism and crime fighting are inextricably linked. So the better we fight crime, we're actually fighting terrorism at the same time."

Detrick, which is why part of the argument we're making is that we should receive some assistance in funding and maybe even police positions relative to that. After all, police work is about partnership, and I think that clearly could impact us.

We've tried to become more sophisticated in terms of these levels and what they mean, but it's still a struggle in terms of the information flow. In D.C. right around that time, it seemed like every day — every hour almost — we kept raising the level of alert, to the point of what does it mean anymore? It was just like jumping in the air. You keep jumping, to the point where you're just supposed to stay in the air, and you just can't. That's not a physical possibility. I think all agencies, both large and small, struggle with that. What does it mean when you get all these different alerts? Most agencies, I don't think, have the type of funding to address that. So what exactly do you do? One of the things we've learned through our training at the Center for Domestic Preparedness was how to do a threat assessment, a vulnerability analysis, in the kind of systematic manner that the government would like us to do it. We've done that for the city. But what do you do when the color code gets raised?

The secret is out

LEN: In the aftermath of 9/11, one of law enforcement's "dirty little secrets" — the lack of communication, particularly when it comes to intelligence sharing — came out in public. Do you think that that situation has improved?

DINE: I think most of us in the profession would agree that it's better. Is it where it should be? No.

The State of Maryland has a growing and very extensive multi-jurisdictional intelligence center that they've put together, so we get emails and information from them. So there is no question that intelligence sharing is better. I'm one of the police people who think that terrorism and crime fighting are inextricably linked. So the better we fight crime, we're actually fighting terrorism at the same time. To do that, we need to share information about who's who and who's wanted and what we do with those people, and those kinds of things.

LEN: The traditional "hub and spoke" approach to intelligence — in which everyone feeds information into a central point, and it is then redistributed from there — has been sharply criticized by one prominent terrorism expert, who said that a network approach to information sharing would better utilize the capabilities of local law enforcement. After all, the argument goes, you know your communities, you have your ear to the ground in a way that the feds don't. What are your thoughts on that?

DINE: There's no question about that. I think that kind of system is gradually being built. I can't say everything's perfect and it's all pie in the sky, because it's definitely not. We still struggle with it. Even sometimes in our conference calls, a question will arise about why we just found out about something on CNN when maybe we could have or should have been notified. On the other hand, through pager now, we're much better linked with federal agents than ever before. We have these constant conference calls, we do get pager notifications. In Maryland, we have what's called the Maryland Coordina-

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LEN interview: Frederick Chief Kim Dine

Continued from Page 7

tion and Analysis Center, or MCAC. The state and local members who make up that center are feeding information into it, and can get information out of it. So when an officer stops someone at 3.00 in the morning, we now have the capability to run many, many more kinds of checks through various kinds of federal data bases to find out more information about the people we have approached. It's beginning to work in the manner that you just suggested.

One other thing I should mention while we are on that topic. We've got to have a kind of holistic approach, to train all our people. I'm very proud of the fact that we've been able to get our entire department into formal outside training, including higher-level training. We trained a number of our supervisors and command members to become train the trainer people, so they've been able to come back and do constant in-service training, and be a resource not only for our agency, but throughout the region. Most of the funding comes through our county's emergency manager. We were able to get a grant separate and apart from that to boost our overtime as it related to terrorism, which was exceptionally helpful. I would recommend to the feds that's that something they look at. This was one of the least complicated grants that I've ever been involved in over the years, which basically allows you to supplement your operations relating to terrorism. We've created our own homeland security technical advisory council

We've also made every effort we can to hire sworn and civilian personnel who are bilingual. And luckily over the last couple of months, we've been able to hire a number of folks in that area, and that greatly helps us, no question about it.

LEN: Along with the language issues, there's also the matter of what I'll call cultural competency or sensitivity. Is such a component built into your training?

DINE: We did a couple of things to try to enhance that facet of it. We held a Latino and Hispanic awareness outreach program, where we invited as many Latino leaders in the area, in the city, as we could contact. A day of meet and greet and get to know each other, introduce ourselves, and talk about our community policing. That went a long way toward building some trust, which is critical for folks coming from countries where, understandably so, their distrust of the police is at a very high level.

Like most departments, we also had a certain amount of what I guess you'd call sensitivity training, or cultural awareness training. We contracted with our local community college to mount a brand new course last year for all our members as it related to cultural awareness and sensitivity. And we're constantly trying to build on that. We've taken advantage of some excellent training that, while it's not specifically cultural awareness, has to do with civil rights and the treatment of people and authority

one time or another have to deal with people who are mentally ill. What has your department done in terms of dealing with this problem?

DINE: I think this is definitely a concern of many police agencies, especially as we try to raise the bar of the service we provide to the public. And while we have a very excellent training program here, and try to cover as many issues as we can, it was a concern. We developed a unique partnership with some county, state and local mental health agencies, the Mental Health Management Agency of Frederick County, the National Alliance for the Mentally Ill of Frederick County, and we began to meet regularly to look at best practices in terms of how we can all work together to better serve our community. We wanted to really assist each other with crisis intervention in the community, to use each other as resources, which I believe strongly is a major component of what community policing is all about. Some agencies have created special response teams to deal with folks in crisis, but we wanted to do this holistically, to train the entire department, because you never know who's going to have to respond.

We're also creating training for the mental health professionals. They wanted some safety training, to know how to do certain things that could assist them in certain neighborhoods and responding to people. So it was a mutually beneficial approach: cross-training for both, with a number of agencies involved. Then we set up some other agreements as to how we were going to assist each other, and radio communications and information sharing.

We're actually trying to take that a step, further now, into the area of domestic violence. Historically in policing, we are so busy dealing with day-to-day issues and the age-old managing calls for service that it's hard to take a step back and look at what you might be able to do proactively. There's a little irony there, but all the data that we create on a day-to-day basis can clearly be better utilized. So if we've been to an address five or 10 times for a domestic violence call, or for some kind of call for a mentally ill person, couldn't you go back there as a multidisciplinary response team? This is not a new concept in many cities. That's why the word proactive is kind of funny because we've already been there a number of times — and that one extra visit may preclude that last visit where it becomes the suicide or the homicide. So we're trying to work with both these mental health agencies to come up with a protocol to do exactly that, to identify these repeat calls for service, make sure that, if nothing else, those people are on the radar screen of mental health agencies. This in part is what problem solving and community policing are all about, and then, of course, it also provides assistance to these people.

All-hands effort

LEN: What does community policing entail in Frederick?

DINE: I believe community policing has to come from the top down and the bottom up and comprise the entire agency. I don't believe that there's such a thing as a community police officer, or just a community policing unit. I believe it's an entire agency

— and not only philosophy, but a real strategy. We've divided up the city into 12 smaller neighborhoods, because my basic definition of community policing is working with folks in neighborhoods to identify concerns, prioritize them, and come up with plans to address them. It's an actual, practical operational definition that is elegant in its simplicity — and there are many key aspects here. I think community policing is about geography and about ownership of neighborhoods.

It's always interested me what citizens ask us: why don't certain behaviors happen in certain neighborhoods? Part of the answer, I think, is because the people who live there, along with the police and other government agencies, all the stakeholders have not allowed it to happen. So what you have to do is, obviously, galvanize the community, use all the resources, and not accept what, sad to say, I think we've done historically: that it's "just the way it is in that neighborhood." That answer is not acceptable.

So we've divided up the city into these small areas of geography, where we can better dissect and analyze the issues. We meet with those folks, and when I say "we," it's not just a policing approach. We have the other city agencies there, and we will bring anybody that can add benefit to those meetings. You then have to prioritize those issues because it's not all about the squeaky wheel. It's about dissecting and analyzing what's approachable, workable, picking things that are winnable, and then coming up with just a wide array of solutions to try to address what the concerns are.

That's really been our approach. We've assigned specific police supervisors to these areas so there's ownership from the police agency, there's ownership from the citizen perspective. It's rather new here because this is a city that does not have political wards or any other geography-based divisions prior to this Neighborhood Advisory Council concept. It was a new process for the city as well as the police department. We obviously had our police beats, which were much larger, and still exist in terms of the way we assign our officers. We haven't overcomplicated this. We're not obsessed with having X-number of personnel assigned to these NAC's, and we don't get into a debate about police coverage; it's more about focusing on problem solving issues, crime issues, and those kinds of things.

LEN: Some academics tend to make distinctions among strategies such as community policing, problem-oriented policing and the Broken Windows approach. It seems that you don't differentiate in that regard the way academicians do...

DINE: Sometimes we get so bogged down in how we think we're going to intellectually describe something that we just lose the forest for the trees, really. What we've tried to do is fuse those together and come up with an approach that's practical and operational and doesn't get so bogged down in how we're going to describe something that we're not solving the problem. I try to read and analyze some of those writings that you're speaking about, and while they try to make a differentiation, I think they're inextricably linked. When you look at some of the problems that some cities, especially the larger ones, have had to address, and you've got graffiti and broken windows and

"Historically in policing, we are so busy dealing with day-to-day issues... that it's hard to take a step back and look at what you might be able to do proactively."

within the city so we can analyze our needs and tasks as it relates to our city, and then continue to partner with our county, state and federal counterparts.

Talking the talk

LEN: Your department recently enhanced its capability for dealing with Spanish-speaking residents. What have you done in this area?

DINE: Well, obviously, like any agency, we want to do the best we can to serve our customers. Again, having the wonderful experience of having come from a major city like Washington, which is culturally rich and culturally diverse, it was clear to me that a successful police department needed to serve and communicate with its community. Frederick has not historically been an extremely diverse community, but it's becoming much more so. So we did a number of things over the last couple of years. One of the things we did immediately was translate our brochures into Spanish; that was pretty much a no-brainer, so that needed to be done quickly. We actually won a Governor's Award for Crime Prevention doing that, but that seemed pretty obvious. We're doing that now with Asian languages, and I believe we're complete with that also. But you also need the ability to talk to the increasing Latino population. So we've made available to our officers a number of different kinds of crash courses in Spanish.

and power. That's the program that's put on at the Holocaust Museum in Washington, D.C., and the Anti-Defamation League. It was actually created by Chief [Charles] Ramsey of the Metropolitan Police Department, the ADL and the Holocaust Museum. It started out very small and was provided to the MPD and its command staff, and has grown to a course that I believe the FBI and the U.S. Attorney's office both use. Several other departments in the region have taken part, so we wanted to take part in that also. We sent our last recruit class down there, and they thoroughly enjoyed that. It definitely broadens folks' horizons as to what civil rights are all about, and cultures

LEN: The training that the Holocaust Museum puts on is much more than just about what happened to the Jews, isn't it?

DINE: That's exactly right. It's about people's rights, it's about abuse of authority, and it's about standing up for what is right and how those things can be corrupted. That's really the essence of it, and that applies to everything and anywhere, which is why the training itself is so fantastic. And that's all supported by a museum that just happens to be incredible, well run and a place that's able to depict the most horrific things in an educational way. So it becomes an extremely valuable educational experience.

LEN: Just about every police department around the country, regardless of size, will at

"There's a belief that community policing and arresting folks are mutually exclusive. That could not be further from the truth; I think they go hand in hand."

abandoned buildings and abandoned cars and trees down and trash and alleys that need repairs, you realize that none of them have anything to do with policing, really. But they do breed neighborhoods that breed crime, and I think most importantly, breed disrespect for the neighborhood. So those three avenues that you just mentioned all need to be fused together to have a cohesive approach, in my view. That's exactly what we've tried to do.

One more thing that gets people a bit confused is that there's a belief that community policing and arresting folks are mutually exclusive. That could not be further from the truth, I think they go hand in hand. Some folks go to jail, and the better you work with your various communities, the better support you get for arresting people, and the more understanding they have in terms of your strategic approaches. One of the great things that I think most of us in policing are proud of is how things have really changed. Thirty years ago, if you came into a police station and you wanted to talk to a supervisor about a neighborhood problem and about the police approach to it, I don't think you would have gotten a very kind response. Now we meet with folks regularly to discuss what the strategy will be and how we all might work together.

Need to know

LEN: You recently began putting the mug shots of johns and drug dealers on your department's website. Why did you do it, and what do you hope it will accomplish?

DINE: I think that goes back to the whole idea of ownership and geography that I feel so strongly about as it relates to neighborhoods. People have a right to know what's going on in their neighborhoods because that is a way to exert ownership. This is just one more step of using technology to let people know who is doing what in their neighborhood. The newspapers often print the photos of people arrested. This is just using electronic, modern means of sharing that same information. The local paper here on a daily basis prints the names of all the folks who are arrested by the different law enforcement agencies in the area, and what they've been arrested for. And quite often, depending on the type of crime and the magnitude of the story, they will also print a mug shot. So we're basically doing the same thing, we think it may have an added benefit.

Our strategy and belief was that people need to know what's going on *now*. They don't want to find out six months later who was found guilty of something in your neighborhood, they want to know now because we want that behavior to stop taking place in that neighborhood. It's our job to use different kinds of means at our disposal to do that. We're looking at other kinds of crimes that we could put on there, like violent crimes and robberies, those kinds of things, because, again, people have a right to know. Policing is territorial; we are trying to not have this behavior in the city of Frederick. We'll see how it works.

LEN: Your website also mentions that you're currently working with the State's Attorney's office on quality-of-life issues as conditions of release for defendants. This suggests that an awareness of the under-

addressed fact that offenders eventually return to the community.

DINE: Again, it's something I learned in my 27-year career in D.C., having repeat offenders and chronic offenders come back out on the street to the same community and do the same thing over and over again. Working with the U.S. Attorney's Office, we created a program called CORE — Conditions of Release Enforcement. Courts have always had conditions of release on folks, and there's always been a way to enforce them. But in most jurisdictions it's an unwieldy process, so unwieldy to the point that it's not utilized. So what we did in D.C. was to transcend the bureaucratic chaos in order to put information into a system that would be immediately accessible to officers on the street and, by making it instantly accessible to them, enable our officers basically to confirm the conditions of release and maybe even arrest on the spot a person who was violating that condition of release. Many folks come back to neighborhoods — they don't live there, they don't work there and they don't have any business there other than breaking the law. So that's what this is

"Getting to know the quality of the people you have is heart-warming and energizing to me, one of the things that keeps me excited about this kind of work."

all about. We now have our General Counsel working on trying to create a similar program here.

LEN: An issue that has an indirect relationship of sorts to community policing is that of racial profiling. How has this touched the Frederick Police Department?

DINE: It touches us all indirectly. I did something here that I think most chiefs are doing when there's a change in command. I did not make it a big public issue or issue a press release, but we put out basically an anti-profiling order. In Maryland, we have a system already where we track the race of the people we stop. Many call it biased-based policing instead of racial profiling because that's a broader descriptive term. So we did do some research on that, and then created an anti-biased-based policing policy. It was the right thing to do. Obviously, most departments have specific orders that would prohibit those kinds of things anyway, but I thought it was appropriate to have one that spelled it out and prohibited anything related to that, because it just sends a message to your department that that's not going to be tolerated. Our officers do a very good job, and they focus on the police work at hand. But I think it's one of those things, just like basic courtesy, that needs to be talked about a lot. Part of it goes back to working with the community and having people understand your different efforts and approaches.

Change of scenery

LEN: You went from a big police department, Washington, D.C., to a more modest sized one. Was that a difficult transition to make?

DINE: That's a really interesting question, because that whole transitional issue is ripe for study: how the moves are made, what people do, whether you take people with you, how you respect or don't respect the culture in the new agency you're linked to, and how you work through all those issues. I tried to do a lot of study and analysis, reading books by other chiefs and talking with those chiefs, and even being part of such a transition the last five years in my career in Washington, where we had a new chief come in from Chicago, Chief Ramsey. I think the biggest change when it comes to size of departments has to do with budgetary issues, and having the resources available to do a multitude of things. Policing today is the most exciting, rewarding profession, and what leads to some frustration is that, now more than ever, we're trying to be all things to all people. That really hasn't changed over the years, but now you have the whole terrorism issue on top of that. And the fewer resources you have, the more of a struggle that can be.

So that's probably one of the biggest differences. I think a lot of medium size and smaller agencies do a lot of multi-tasking. It's

just required, this is the way you do business. And in some of the medium size or smaller agencies, there's a growth aspect as part of the experience that larger agencies have already dealt with. Our agency here has grown quite rapidly over the past two years, and because of budgetary concerns and the rapid growth rate, we had not really had the chance to get built in all those other staff positions that are really required. We were able to hire a civilian accreditation manager after we became accredited by CALEA last year. The accreditation process had been started by my predecessor, Ray Raffensherger, who definitely took an enlightened approach about that. He left before they were able to achieve it, and that was another big meeting we had with the Command Staff, to determine that it was a priority and that we would achieve it. We were successful, which is a credit to the people here. But then finding someone to manage that is equally important. We were able to do that, but we had to create a whole new position. Those are building processes that I think your larger departments have historically already structured in.

LEN: No doubt modest size can be both a blessing and a curse. Certainly one advantage must be a greater opportunity for face-to-face contact with the entire work force.

DINE: This is a medium agency — 135 sworn. One of the most exciting aspects of that is that you really get to know people as individuals; you get to see them a lot. I think that in policing one of the most exciting positions in larger departments is being what in D.C. we called district commander, which is equivalent to deputy chief. You have your area, and you have your people, about 400 to

500, which is still a significant operation. You have to know those people. A chief's job in a medium-size agency is akin to that except you have the whole ball of wax. Getting to know the quality of the people you have is heart-warming and energizing to me, one of the things that keeps me excited about this kind of work. As frustrating as some of the day-to-day personnel issues are, you have to have some perspective when you look at that, and the fact is that the quality of the people who do this kind of work within our agency is really uplifting.

Thinking small

LEN: Moving from a larger agency to a smaller one is often the only way for a career cop to make it to a chief's job, but is there a tradeoff in terms of job security — or lack thereof — that comes with such a move?

DINE: There's a whole fascinating area of study and discussion in terms of the vulnerability of new chiefs and how long they last and the politics and the cultural issues involved. But my understanding was, and I could be wrong, that the average chief's tenure, just in general for police, was something like 36 or 38 months — and the larger the agency, the shorter the tenure. But a lot of departments, historically, have actually been quite stable. But I think what's happening now is that the political aspect has reached those medium and small departments. Choosing a chief of police is one of the most significant things a mayor can do. More and more of those jobs are becoming politicized, meaning that a new mayor may simply just want to pick a new chief of police, and not for any particular reason, which adds a whole different dynamic for those in the profession.

LEN: What can help to smooth the path?

DINE: Respect, I think. Trying to identify the tone within the agency and then respecting the culture, but trying to make changes as appropriate. For example, even the simplest things, like changing the color of the uniform, or the color of a shirt, can insult many members, depending on the history of the organization and what the uniform meant. We used an inclusive approach among the command staff because it was their shirts that would be changing. And it was a majority determination that they wanted to do that.

LEN: And you, as chief, must get a sense that there's a kind of broad-based buy-in from the members on things you're trying to do and changes you're trying to make ...

DINE: That's the exciting thing about our community policing strategy, I think. They were doing excellent problem-solving. They were actually doing all three of the themes that you mentioned. We've added sort of a concrete strategy to it. But our officers enjoy working with the public; they enjoy solving problems; they do a good job arresting people. All of that really came together. They could see that every time you used that term, it didn't mean that you weren't going to arrest people. Like, you might arrest more people, but the beauty of it is that you get community support behind you, which is what you want.

Silverman:

Kerik's cons & the heat of the spotlight

By Eli B. Silverman

Bernard Kerik's meteoric rise and fall is a testimony to Andy Warhol's observation on the episodic nature of fame. It reflects a blurring of the line between entrepreneurship and exploitation, between management and abuse.

While many discussions focus on the reasons for Kerik's withdrawal from consideration as Homeland Security secretary, the central issue is obscured. Why was he nominated in the first place, and what does this nomination reveal about the weight we give to merit in selecting leaders to provide society's most basic requirement — public safety and security?

As is well known by now, Kerik's long relationship with former New York mayor Rudolph Giuliani, dating from his service as chauffeur and bodyguard, was the springboard from third grade detective to head of New York City's Department of Correction and, then, police commissioner. Kerik's ascent to national prominence, however, was catapulted by his identification with the symbolically heroic images confronting the 9/11 devastation.

On both the local and national levels, there is a sharp contrast between Kerik's public and private faces. New York's criminal justice personnel and informed outsiders were familiar with both. The public side was that of an effective operations manager with the Department of Correction, who was credited with reducing violence inside the city's jails. His NYPD facade parlayed this

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managerial reputation, featuring continued crime decline and boosts in community confidence and police morale.

The public record was, in fact, a mixed bag. Crime did continue to decline, and more community input was sought (primarily during the very early part of his tenure), but officer morale continued to sag. Yet despite the mixed record, the public face was barely tarnished. He could do no wrong with Giuliani, his patron (and, some argued, the real police commissioner). There was little inquiry made into allegations of doctored statistics and the political use of personnel in the Department of Correction and the NYPD. The New York press essentially gave

him a free pass as he made himself accessible to them, in sharp contrast to his predecessor as police commissioner. The public record was only occasionally punctuated with muted criticism.

Although Kerik publicly preached managerial accountability, his private side was one of unaccountability, unquestioning loyalty buttressed by patronage and little toleration of divergent views. In his autobiography, "The Lost Son," Kerik wrote:

"Management for me is a combination of unhooking leadership, common sense and finding the right people for the right job. If I have a secret, it's in the people who surround me."

He and many of the people who surrounded him inside and outside public office were known to "push the envelope." The cascading charges of personal gain and mishandling of funds arising from misuse of public office do not greatly surprise many in the law enforcement community. Most were disappointed by his very selection as police commissioner. When Kerik's NYPD predecessor, Howard Safir, resigned, he and the vast bulk of informed police insiders and outside observers recommended that the Mayor select Joseph Dunne, a 31-year veteran who rose through the ranks to become a borough commander, Chief of the Housing Bureau and Chief of Department. In the end, Kerik's lengthy association with the Mayor trumped Dunne's wide-ranging and widely praised record of success in policing. For Mayor Giuliani, familiarity bred contentment.

Nationally, of course, Kerik's most prominent public face was his association with the Mayor during the 9/11 tragedy. His presence was necessary, visible and symbolically important, but does that make it heroic? The firefighters, police and others who responded to this terrorist act and even gave their lives were the true heroes. On the other hand, Kerik's performance during this period, in his own words, included "talking to Chief Esposito on the radio to make sure our people were being deployed at the scene and to see if he needed anything." On another occasion, he "contacted the office and began to find out how the department had responded and to hear about my staff and my detail.... In the interim, the entire New York Police Department had mobilized. All the procedures we had in place kicked in, and cops went where they were needed and acted with amazing courage and resourcefulness."

This is admirable, but does one become a hero for doing one's job?

Kerik's post-NYPD career in association with the Giuliani Partners consulting firm also benefited from a public facade that obscured reality. The press has only recently conjectured about his abortive and inadequate Iraqi training mission. There has been even less exploration of Giuliani and Kerik's other public security contracts. For example, in 2003 they received a \$4.3-million consulting contract to revamp Mexico City's police department in order to reduce crime and violence. Yet over a year later, crime is still a prominent issue in Mexico City and, in November 2004, two members of the Federal Preventative Police were captured by a crowd on the outskirts of Mexico City. The agents had been investigating an alleged drug ring at a local school, but rumors that they were planning to kidnap children incited a

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OTHER VOICES

A roundup of editorial views on criminal justice issues.

Cure the FBI's Cyberblindness

Among the many government shortcomings exposed by the Sept. 11 attacks was the FBI's 1980's computer technology. Unable to quickly, effectively search each other's files, field agents were hamstrung in efforts to share information and suspicions about possible threats. Today, three years after the nation's worst terrorist attacks, the FBI's first line of defense against terrorism still wears blinders. It will continue to do so for the foreseeable future. The agency has pronounced its Virtual Case File system seriously deficient and says the project, which has cost \$170 million and was supposed to be running by December 2003, will be largely abandoned. Congress and the Bush administration should demand answers — and action. The failure of FBI leaders and technology managers to correct such a crucial deficiency when given the resources to do so would be unacceptable under any circumstances. In light of the ongoing terror threat, it is egregious.... Inadequate technology funding hindered the FBI for years. That hindrance is gone, and agency officials must finally get it right. America's security could depend on it.

The Roanoke (Va.) Times & World News, Jan. 18, 2005

Plain Wrong

If Manissa Hurst wants her job back as a Delaware County deputy, she should have it, although no one could blame her for being reluctant to return to an unwelcoming workplace. An arbitrator officially has ruled what sensible people already figured: The Delaware County sheriff's office was wrong to fire Hurst for taking time off before and after giving birth, as allowed by federal

law. Hurst's story is a cautionary tale for all Ohio law-enforcement agencies that haven't dusted off the policy books. Times have changed, and the old attitudes don't work anymore. But that's not all. In a tragic twist, Bryan Hurst, Manissa's husband and a Columbus police officer, told The Dispatch in August that he would be taking on special-duty hours to make ends meet for his new family. On Jan. 6, a robber fatally shot Officer Hurst while he was on special duty at the Fifth-Third Bank. The sheriff was not to blame for Officer Hurst's death, but by violating the Family Leave Act, the sheriff's office set in motion the events that devastated the Hurst family, widowing a mother and leaving an infant without a father. In the 21st century, it is inexplicable that a public official could be so uncompromising — and wrong — about accommodating the pregnancy of an employee.

The Columbus (Ohio) Dispatch, Jan. 22, 2005

Fixing Broken Windows

Taggers might not be the worst criminals in the city of Los Angeles, although they are certainly the most visible because of the graffiti that they splash over everything in sight. Law enforcement officials have now wisely recognized that even the worst, most hardened criminals had to start somewhere. In an early morning sweep on Monday, officers from the Sheriff's Department, the Los Angeles Police Department and the Probation Department combed through the San Fernando Valley, arresting 32 suspected taggers, 30 of whom were under 18. Officers also seized 15 guns, various illegal drugs and plenty of spray cans. The success of this operation shows that the best crime prevention is to catch young criminals before they go any further.

The Daily News of Los Angeles, Jan. 19, 2005

Note to Readers:

The opinions expressed on the Forum page are those of the contributing writer or cartoonist, or of the original source newspaper, and do not represent an official position of Law Enforcement News.

Readers are invited to voice their opinions on topical issues, in the form of letters or full-length commentaries. Please send all materials to the editor.

The challenges of the Beltway Sniper case

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"Agencies may want to consider assigning an individual to act as an Internal Information Officer."

In some cases, patrol officers felt as though they were not being given as much information as they should have been. As a result, the report said, they incorrectly believed that they were not significant to the investigation. Leaders then found it difficult to correct that impression.

"That was one of the challenges of this whole case — information," Wexler said. "In reality, there was very little information to give out until the final stages of the investigation."

What came as the biggest surprise to him, Wexler said, was that there was not more staff among the various agencies.

"With this number of local, state and federal agencies all coming together, with 10,000 tips coming in every day...they were able to put aside what is understandably organizational conflicts and really focus on what they needed to do," he said.

This shared sense of management and responsibility was something "unprecedented" in law enforcement, where there is usually one lead entity, said Wexler.

Charles Moose, the police chief of Montgomery County, Md., at that time,

became the primary spokesman for the Sniper Task Force because the first shooting, as well as four homicides on the second day, occurred in his jurisdiction. Moose shared leadership with federal agents Gary Bald and Michael Bouchard, special agents in charge of the FBI's Baltimore field office and the ATF's Baltimore field office, respectively.

As the shootings moved into Northern and Central Virginia, some government officials suggested through the media that federal law enforcement should take over the investigation. When interviewed by PERF researchers, each of the leaders said they would have communicated more clearly to law enforcement and government officials about their decision-making process, which might have laid to rest any questions about who was in charge.

"I think there was an appreciation, given the complexity, the high-profile nature of this, that to take it away from the locals and put it in the hands of the FBI would really be counterproductive," said Wexler.

The difference between a quick apprehension and a prolonged frustrating effort, said the report, lay in the development of an effective information management system. Prior to its creation by information systems specialists and crime analysts, many of the telephone tips in the sniper case had to be

hand-carried to command posts so they could be entered into a centralized management system.

"Without those systems, leads can be lost, investigated repeatedly when unnecessary or simply forgotten," said the study. "Law enforcement needs systems that allow multiple agencies in complex investigations to exchange and analyze information. Even with a state-of-the-art automated system, ... effective information management requires compliance with consistent protocols and the ability to overcome institutional barriers to information sharing."

Perhaps the greatest challenge in the investigation was communication — among police leaders, the media, the public and government officials, said the study.

At the same time that task force leaders tried to prevent the premature release of information, they also needed to be able to talk among themselves. All of the major stakeholders in the case communicated through a regularly scheduled conference call that had been put in place by Van Harp, assistant director of the FBI, as a result of the terrorist attacks.

Those calls increased from weekly, to daily, to several times a day as the sniper investigation progressed.

What turned out to be a particular source of frustration to law enforcement personnel, though, was that many felt for the first time in their careers that they could not tell the community how to be safe. A balance had to be struck, the report said, between advising the public to restrict certain activities, while not having them become hostages in their own homes.

There was a constant tension between what information to give out and what to withhold, said Wexler. "There's not a formula for doing that, but I think at the end of the day — they recognized that the No. 1 concern was how do we inform the public in such a way that they could take reasonable precautions, but also not lose contact with the sniper."

Edward Flynn, the Massachusetts state public safety secretary and a former police chief of Arlington County, Va., told PERF researchers that in at least one respect, the sniper case more challenging than responding to the terrorist attack on the Pentagon on Sept. 11, 2001. "With the Pentagon, community fear subsided greatly within a few days," Flynn said. "In the sniper case, community fear seemed to grow exponentially every day, and created enormous challenges for police to reassure the public."

Forum: Spotlight on Kerik's cons

Continued from Page 11

crowd. The victims were beaten for several hours before finally being burned to death in front of TV crews that had arrived on the scene long before any police responded.

Mexican President Vicente Fox fired Mexico City's police chief, who had been instrumental in hiring the Giuliani-Kerik team. In the opinion of a professor at Mexico City's Center for Economic Investigation and Teaching, the performance of the Mexico City police "is an institutional failure of the highest order and it reflects the state of the police on a regular basis and should be a wake-up call." One awaits a refund to Mexico City by Giuliani Partners. For \$4.3 million, there are far more imaginative roads to criminal justice reform.

This absence of public accountability is not surprising to those who followed the Mayor's flair for holding others accountable for their performances while shunning his own despite frequent proclamations to the contrary. In his book "Leadership," for example, Giuliani writes:

"A lot of leaders have catchy slogans on their desk; many believe in them. The two-word sign on my desk genuinely summarizes my whole philosophy: I'M RESPONSIBLE. During my time at City Hall I did my best to make those words a signature theme for every employee, starting with myself. Throughout my career, I've maintained that accountability — the idea that the people who work for me are answerable to those we work for — is the cornerstone. And the principle starts with me."

Accountability is also immortalized on the Giuliani Partners' website as one of the "six fundamental principles" of leadership. "Nothing builds confidence in a leader more than a willingness to take responsibility for what happens during his watch," the website

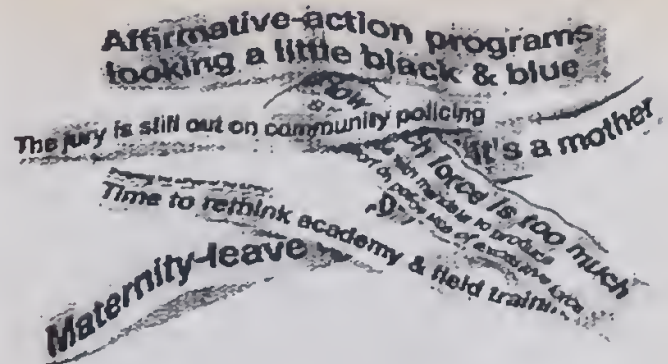
proclaims.

Despite these claxon calls, Giuliani's verbal gymnastics following Kerik's withdrawal epitomizes accountability's double standard. During his tenure, the Mayor was known for tight-fisted control of his entire administration. This included the city's Department of Investigation (DOI). Giuliani reversed the long-established separation between the Mayor's office and the DOI. In fact, Giuliani selected a DOI commissioner who was a former associate at the U.S. Attorney's office and then served as his campaign manager. Giuliani's DOI commissioners also attended mayoral cabinet meetings, his rationale being that as mayor he would be held accountable for all errors of his administration.

Despite his modus operandi, Giuliani now claims that he was unaware that, two months before Kerik's appointment as police commissioner, the DOI learned that he "had a social relationship with the owner of a New Jersey construction company suspected of having business ties to organized crime figures," as The New York Times reported. Yet on Dec. 16, 2004, the DOI issued a statement in which it said: "We have been told there was communications between City Hall and DOI regarding Mr. Kerik's appointment to police commissioner." Was the Mayor also ill-informed about other information pertaining to his close associate?

In the final analysis, abuses of public authority were shrouded in a cloak of personal loyalty, patronage and symbolism. Excellence can scarcely advance when showmanship is supreme. Public safety and homeland security deserve more than media-driven central-casting imagery, hubris, partisan politics and entrepreneurship. It warrants a record of ability and achievement that tolerates dissent.

Headlines are not enough



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Too many cooks?

With eight jurisdictions & 1,000 investigators involved, a lot of things could have gone wrong with the Beltway Sniper probe. Find out how they made it all work out, on **Page 1.**



Life after D.C.:

A candid interview
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WHAT THEY ARE SAYING:

"It's almost like changing the tire of a car while it's moving."

— Chuck Wexler, executive director of the Police Executive Research Forum, on the challenges posed by the multijurisdictional investigation of the Beltway Sniper case. (Story, **Page 1.**)